



Association of California Water Agencies

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October 31, 2007

Phil Isenberg, Chair
Delta Vision Blue Ribbon Task Force
650 Capitol Mall, 5th Floor
Sacramento, CA 95814

Subject: Comments on Second Draft Report on Delta Vision

Dear Mr. Isenberg:

The Association of California Water Agencies (ACWA) appreciates the work of the Delta Vision Task Force and Stakeholder Coordination Group in developing a vision for a sustainable Delta. As you know, ACWA has long called for a high-level effort to provide leadership, vision and a specific strategy to address the Delta and we hope the Delta Vision process will be the means to accomplish that.

California is facing the most significant water management challenges in a half-century, and the Delta is a critical part of the problem. As the recent ruling in U.S. District Court in Fresno showed, the current system for conveying water through the Delta is fatally flawed and cannot meet the needs of the environment or the economy. New restrictions on how the system is operated will significantly reduce State Water Project and Central Valley Project deliveries. Worse still, restrictions on Delta conveyance will greatly reduce our ability to operate a voluntary water market and south-of Delta storage programs – both vital to protecting the economy during drought. Now another federal court case is focusing on a different part of our water supply system – the operation of the state's major surface storage reservoirs. That case will determine whether flows and temperatures are adequate for the protection of listed Chinook salmon species. Simply stated, the system is in crisis and we need action now to protect both the aquatic environment and our economy.

Given the urgency of these challenges, a bold vision for resolving fundamental Delta problems has never been more critical. The Task Force's second draft effectively identifies many of the key drivers of the problem, and articulates important concepts needed to achieve a more resilient Delta. ACWA agrees with many points. Specifically, we agree that the aquatic environment and water supply for the economy are of equal importance; that we must invest in both conveyance and storage to manage the entire

watershed for these coequal priorities; and that we must adaptively operate a resilient system to accomplish these goals. In short, the Task Force appears to be on the right track.

ACWA concurs with the comments of the Water and Business Delta Vision Stakeholders submitted to the Task Force. In addition, we offer the following comments to clarify and strengthen this important document.

The Vision Must State Key Conclusions More Clearly

The Task Force's second draft report calls for the "separation of water for human purposes from water for the ecosystem." It further states: "New storage and improved conveyance must be constructed to capture water at times least damaging to the environment and efficiently move it to areas of need." ACWA strongly agrees, but the report must go further and explain to readers what this means. The report is highly consistent with a physical strategy creating an intake for the SWP and CVP on the Sacramento River, thereby separating water for the economy that would be conveyed around the Delta from water in the Delta that could be better managed for natural values. We are well past the time for innuendo. This report should clearly state that some form of isolated facility is a necessary part of any vision for the Delta's future.

Reduced Exports: Conclusion Not Supported

The document asserts that "water exports from the Delta will be reduced in the future." ACWA is aware of no technical or policy rationale for this conclusion. As the business and water participants in the Stakeholder Coordinating Group have emphasized, *the Delta is not a source of supply, it is a place of conveyance*. Because the current conveyance system forces water to move from north to south through Delta channels for delivery to economic uses in the SWP and CVP service areas, it creates unnecessary conflict between the coequal goals the Task Force is establishing. If improved conveyance substantially reduces or eliminates this conflict through separation of water for economic and ecological purposes, it is far from clear that the amount of water conveyed should be reduced. Indeed, while the fundamental reason for investing in improved conveyance is to reduce this conflict, some objective researchers estimate that conveyance improvements could increase and not reduce supply. Even the draft Delta Vision report (Figure 7) indicates that conveyance investments would increase available supplies by 0.4 million acre-feet. If you add to this the supply potential for a sound conveyance system to transport conserved water from willing buyers to willing sellers, the firm conclusion of the report that supplies conveyed through the Delta must be reduced is mystifying and unjustified.

The Role of Regional Self-Sufficiency

In a related vein, the draft report in several places states that California should achieve “regional self-sufficiency”. We are unsure what this term means, but if it means that major portions of California can meet their needs without relying on water conveyed through or around the Delta, it is off-base. What does regional self-sufficiency mean in Alameda County, parts of which are 80 percent dependent on water conveyed through the Delta? Or Contra Costa County – virtually 100 percent Delta dependent? Or in Southern California, which receives about 30 percent of its supplies from the SWP, but in dry years depends heavily on recovering previously stored SWP water from local storage and on purchasing market water conveyed across the Delta?

The concept of regional self-sufficiency appears to reinforce the notion in the draft that exports must be reduced. ACWA recognizes that its members throughout the state must invest heavily in local resources, water use efficiency, ocean desalination, and other relatively expensive technologies. Most urban areas in the state are planning to meet growing water demands through these local investments and not through increases in Delta exports. Meeting this goal of growth through local resource development will be enormously difficult and expensive. While such agencies are not seeking increases in water from the Delta, they are seeking sustainability of existing (pre-Wanger) supplies. Few, if any, of these agencies can afford to lose access to these existing supplies. The fact is that most of California will continue to be dependent to a significant degree on the Delta for the foreseeable future and the Vision Report should not pretend otherwise.

Governance – Important but Not the End-All

The document places a heavy emphasis on governance as a key element of the vision. While ACWA agrees that we should seek to improve methods of governance, we are unconvinced that another governance “superstructure” will solve Delta problems. We have tried innumerable governance and public participation models over the past decade, but as the Little Hoover Commission pointed out in its review of the CALFED Bay-Delta Program, no governance structure can work unless the accountability chain of command extends directly and all the way to the governor.

The fundamental problem in the Delta is not that we lack for public participation. The Little Hoover Commission had it right when it criticized CALFED for prizing process above action. California doesn’t need to make the same mistake twice. Governance is important, but delaying critically needed investments to reduce conflict between the economy and environment until some new form of governance is in place makes little sense. The crisis in the Delta is fundamentally physical and we should fix it immediately.

More Emphasis Needed on Water Quality

Water quality does not receive the attention it should in the draft. ACWA believes there must be greater focus on drinking water quality and water quality for natural processes as part of the solution. Improving water quality is integral to meeting the co-equal objectives of ensuring ecosystem health and ensuring reliable water for the economy.

Other Factors

The draft report is nearly silent on the other significant causes of fishery declines in the Delta. ACWA urges the Task Force to envision a *comprehensive* approach to managing the aquatic environment. In addition to addressing water project operations, a comprehensive plan to restore Delta fisheries must vigorously address toxics, non-native species, power plant operations and other factors that are integral parts of the equation.

Nor does the draft really address other infrastructure that relies on the Delta, including natural gas lines, other water supply infrastructure such as EBMUD's Mokelumne Aqueducts, and highways. These elements add to the overall importance of addressing the Delta's vulnerability.

ACWA appreciates the opportunity to comment on the second draft and looks forward to further participation in the Delta Vision process.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Quinn", with a stylized flourish at the end.

Timothy Quinn
Executive Director
Association of California Water Agencies